

MAINE STATE LEGISLATURE

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Sixty-Fourth Legislature.

HOUSE.

No. 81.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND
EIGHTY-NINE.

AN ACT to incorporate the Agamenticus Water Company.

*Be it enacted by the Senate and House of Representatives
in Legislature assembled, as follows:*

SECTION 1. Mark F. Wentworth, John Wentworth,
2 Edward S. Marshall, Samuel W. Junkins, Wilson M.
3 Walker, Timothy Dame, Moses A. Safford, John B.
4 Donovan and Lucius H. Kendall, with their associates
5 and successors, are hereby made a corporation by the
6 name of the Agamenticus Water Company, for the
7 purpose of conveying to, and supplying the towns of
8 York, Eliot, and Kittery with pure water for domestic
9 and municipal purposes, including the extinguishing of
10 fires, the supply of shipping, and the use of manufacturing
11 establishments, and also to any individuals or corpora-
12 tions connecting with the works of this corporation at any
13 part of the State line.

SECT. 2. Said corporation, for said purposes, may hold
2 real and personal estate necessary and convenient therefor,
3 not exceeding in amount three hundred thousand dollars.

SECT. 3. Said corporation is hereby authorized, for the
2 purposes aforesaid, to take, detain and use the water of
3 Folly Pond and from any and all other ponds or streams
4 between said Folly Pond and the Fall Mill brook, inclu-
5 sive, and the water of Chase's pond in said York, or
6 either of them and all streams tributary thereto in either
7 or all the towns of York, Eliot and Kittery, and is also
8 authorized to erect, maintain dams and reservoirs, and
9 lay down and maintain pipes and aqueducts necessary for
10 the proper accumulating, conducting, discharging,
11 distributing and disposing of water and forming proper
12 reservoirs thereof; and said corporation may take and
13 hold, by purchase or otherwise, any lands or real estate
14 necessary therefor, and may excavate through any lands
15 where necessary for the purposes of this incorporation.

SECT. 4. Said corporation shall be held liable to pay
2 all damages that shall be sustained by any persons by the
3 taking of any lands or other property, or by flowage, or
4 by excavating through any land for the purpose of laying
5 down pipes or aqueducts, building dams and reservoirs,
6 and also damages for any other injuries resulting from
7 said act; and if any person sustaining damage as afore-
8 said and said corporation shall not mutually agree upon
9 the sum to be paid therefor, such person may cause his
10 damages to be ascertained in the manner prescribed by
11 law in case of damage by laying out highways.

SECT. 5. Said corporation is hereby authorized to lay,
2 construct and maintain in, under, through and along the

3 highways, streets, railroads and bridges, in either of said
4 towns, and to take up, replace and repair all such
5 aqueducts, pipes, hydrants and structures as may be
6 necessary for the purpose of their incorporation under
7 such restrictions and regulations as the selectmen of said
8 towns may impose. Said corporation shall further be
9 liable to pay to said towns all such sums recovered against
10 them, or either of them, for damages from obstructions
11 or defects of said streets and highways, caused by said
12 corporation and for all expenses, including reasonable
13 counsel's fees, incurred in defending such suits, with
14 interest on the same.

SECT. 6 Said corporation is hereby authorized to make
2 contracts with the United States and with corporations
3 and inhabitants of the towns through which the pipes of
4 the company may be or shall hereafter be located, for the
5 supplying of water as contemplated by said act; and any
6 town in which the pipes of this corporation shall be laid
7 are hereby authorized by the selectmen to enter into
8 contract with the said company for a supply of water as
9 the towns herein named and said company may agree,
10 which, when made, shall be legal and binding upon all
11 parties thereto.

SECT. 7. Said corporation is hereby authorized to lay,
2 construct and maintain its pipes under, in and over tidal
3 waters, and to build and maintain all necessary structures
4 therefor, all to be done at such places as may be necessary
5 for the purposes of said corporation, and not to obstruct
6 navigation.

SECT. 8. Said corporation is hereby authorized to
2 purchase and acquire the property, rights and franchises
3 of the York Water Company.

SECT. 9. Any person who shall wilfully injure any of
2 the property of said corporation or who shall knowingly
3 corrupt the waters of said ponds or streams, or in any
4 way render such waters impure, whether frozen or not,
5 or whoever shall throw the carcasses of dead animals or
6 other offensive matter into said water, or who shall
7 wilfully destroy or injure any of the works of said
8 corporation shall be punished by a fine not exceeding one
9 thousand dollars, or by imprisonment not less than one
10 year, and shall be liable to said corporation for three
11 times the actual damage, to be recovered in any proper
12 action.

SECT. 10. The capital stock of said corporation shall
2 not exceed three hundred thousand dollars, and said stock
3 shall be divided into shares of one hundred dollars each.

SECT. 11. Said corporation may issue its bonds for the
2 construction of its works upon such rates and time as it
3 may deem expedient, not exceeding its capital stock, and
4 secure the same by mortgage of the franchise and property
5 of said company.

SECT. 12. The first meeting of said corporation may
2 be called by written notice thereof, signed by any two
3 corporators herein named, served on each corporator by
4 giving him the same in hand, or by leaving the same at his
5 last usual place of abode seven days before the time of
6 meeting.

SECT. 13. This act shall take effect when approved.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES. }
February 1, 1889. }

Tabled, pending third reading and ordered printed on motion of Mr.
MANLEY of Augusta.

NICHOLAS FESSENDEN, *Clerk.*